

Election/Restrictions

Applicant's election with traverse of Species D, Claims 40-48, 54-56 and 65-76 in the reply filed on 10-8-2009 is acknowledged. The traversal is on the grounds that the applicant may file a divisional or all claims if a generic claim is found to be allowable, this is persuasive and true applicant has not indicated any generic claims. Also the existence of an X reference in the international search report dated 2-21-2006 precludes any special technical features common to all claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 40-41 and 65-66 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Rigollet(U.S.Pat.5,017,940).

Allowable Subject Matter

Claims 54-56 are allowed.

Claims 43-48 and 67-76 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Elbert, Miroshin, Hager, Ganz, Wakisaka and Miroshin are cited to show structure similar to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL L. ROBINSON whose telephone number is (571)272-4788. The examiner can normally be reached on m-f 5:30-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu B Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dlr
/Daniel L Robinson/
Primary Examiner, Art Unit 3742